UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,885	03/06/2002	Steven Victor Kauffman	SVL920010048US1	6876

7590 02/28/2006	EXAMINER

Paul D. Greeley, Esq.
Ohlandt, Greeley, Ruggiero & Perle, L.L.P.
One Landmark Square, 10th Floor
Stamford, CT 06901-2682

	BLACK, LINH

ART UNIT	PAPER NUMBER
2163	

DATE MAILED: 02/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/091,885	KAUFFMAN, STEVEN VICTOR
	Examiner	Art Unit
	LINH BLACK	2163

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>*25 December 2005*</u>.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,9-14,16-19 and 21-32* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,9-14,16-19 and 21-32* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

        1.☐ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

This communication is in response to the Applicant's arguments dated

12/25/05.   Claims 1-4, 9-14, 16-19, and 21-32 are pending in the

application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis

for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or
> described as set forth in section 102 of this title, if the differences between the subject
> matter sought to be patented and the prior art are such that the subject matter as a
> whole would have been obvious at the time the invention was made to a person having
> ordinary skill in the art to which said subject matter pertains. Patentability shall not be
> negatived by the manner in which the invention was made.

Claims 1-2, 4, 9-10, 12-14, 16-19, 21-26, 28-32 are rejected under

35 U.S.C. 103(a) as being unpatentable over Exley et al. (US 5724577), and

further in view of Shadmon et al. (US 2002/0120598).

As per claims 1, 9, 16, Exley et al. teach

a module that provides a key that includes (1) a unique identifier of a datum

– col. 2, lines 8-31; col. 3, lines 13-50.

an additional attribute – col. 2, lines 9-12; col. 3, lines 32-50.

wherein said key is utilized by a process that associates said key with said

datum in an index of said datum, so that said additional attribute is also

associated with said datum in said index – col. 2, lines 7-31; col. 3, lines 13-

30; col. 4, lines 1-35.

However, Exley et al. do not explicitly teach a key that also includes an

additional attribute. Shadmond et al. teach "encoding semi-structured data

for efficient search and browse" – the title; general field of accessing data

including but not limited to XML documents – paragraph 0001; encoding and

indexing semi-structured data – pars. 0096-0103. Shadmond et al. teach

additional attribute is encoded into said unique identifier – pars. 0200, 0209-

0210. Thus, it would have been obvious to one of ordinary skill in the art at

the time of the invention to combine Exley et al.'s teaching with Shadmond

et al.'s teaching to allow the indexing of encoded attributes in unique

identifiers in order to facilitate efficient search and browsing to end users.

As per claims 2, 10, 17, Exley et al. do not explicitly teach "additional

attribute is encoded into said unique identifier". However, Shadmond et al.

teach "encoding semi-structured data for efficient search and browse" – the

title; general field of accessing data including but not limited to XML

documents – paragraph 0001; encoding and indexing semi-structured data –

pars. 0096-0103. Shadmond et al. teach additional attribute is encoded into said unique identifier – pars. 0200, 0209-0210. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Shadmond et al.'s teaching to allow the indexing of encoded attributes in unique identifiers in order to facilitate efficient search and browsing to end users.

As per claims 4, 12, Exley et al. teach wherein said datum is stored in a database – col. 2, lines 7-31; col. 3, lines 13-31.

As per claims 13, 18, 22-25, 29, Exley et al. do not explicitly disclose a network having a plurality of nodes. Shadmond et al. teach nodes and trees – pars. 0024-0025, 0144, 0206, 0210, 0220, 0293; fig. 13. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Shadmond et al. in order to allow users utilizing networks to connect and search for desired data.

As per claims 14, 19, Exley et al. teach wherein said creating is performed for said plurality of data – col. 2, lines 7-31; col. 3, lines 13-30.

As per claims 21, 26, 28, Exley et al. teach unique keys associates with the values found in the relational information table – col. 4, lines 22-35; a module that searches said index and obtains a list that includes said first key and a second key – col. 3, line 50 to col. 4, line 37.   Exley et al. disclose the sorted order or data groups and subgroups determined by index keys – col. 3, lines 31- 50; fig. 3.

As per claims 30-32, Exley et al. teach a module that searches an index of data, wherein said data includes a first datum associated with a first key that includes a unique identifier of said first datum – col. 2, lines 8-31; col. 3, lines 13-50.

an additional attribute having a first value – col. 2, lines 9-12; col. 3, lines 32-50.

Exley et al. teach unique keys associates with the values found in the relational information table (second datum) – col. 2, lines 11-31; col. 3, lines 23-50; col. 4, lines 22-35.

obtains a list that includes said first key and a second key – col. 3, line 50 to col. 4, line 37.

the sorted order or data groups and subgroups determined by index keys – col. 3, lines 31- 50; fig. 3.

However, Exley et al. do not explicitly teach a key that also includes an additional attribute. Shadmond et al. teach "encoding semi-structured data for efficient search and browse" – the title; general field of accessing data including but not limited to XML documents – paragraph 0001; encoding and indexing semi-structured data – pars. 0096-0103. Shadmond et al. teach additional attribute is encoded into said unique identifier – pars. 0200, 0209-0210. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Shadmond et al.'s teaching to allow the indexing of encoded attributes in unique identifiers in order to facilitate efficient search and browsing to end users.

Claims 3, 11, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Exley et al. (US 5724577), Shadmon et al. (US 2002/0120598), and further in view of Richards et al. (US 2002/0016922).

As per claims 3, 11, Exley and Shadmon et al. do not explicitly teach digital documents. However, Richards et al. teach digital files, search keywords, search engines – pars. 0044, 0059; database key index file – pars. 0077-0078. Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Exley et al.'s teaching with Richards et al. in order to allow efficient search and browsing of digital files.

As per claim 27, Exley et al. teach wherein said creating is performed for

said plurality of data - col. 2, lines 7-31. Exley et al. do not explicitly

disclose a network having a plurality of nodes. Shadmond et al. teach nodes

and trees – pars. 0024-0025, 0144, 0206, 0210, 0220, 0293; fig. 13.

Richards et al. teach network communications with remote users,

subscribers or apparatus – pars. 0060, 0081, 0138; digital files can be

queried by users – pars. 0059, 0079, 0138.   Thus, it would have been

obvious to one of ordinary skill in the art at the time of the invention to

combine Exley and Shadmond et al.'s teachings with Richards et al.'s in

order to allow users utilizing networks to connect and search for desired

data.

Response to Arguments

Applicant's arguments with respect to claims 1-4, 9-14, 16-19, and

21-32 have been considered but are moot in view of the new ground(s) of

rejection.

Conclusion

Any inquiry concerning this communication or earlier communications

from the examiner should be directed to LINH BLACK whose telephone

number is 571-272-4106. The examiner can normally be reached on 8am -

5pm.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Safet Metjahic can be reached on 571-272-4023.

The fax phone number for the organization where this application or

proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained

from the Patent Application Information Retrieval (PAIR) system. Status

information for published applications may be obtained from either Private

PAIR or Public PAIR. Status information for unpublished applications is

available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center

(EBC) at 866-217-9197 (toll-free).

LINH BLACK
Examiner
Art Unit 2163

August 15, 2005

Primary Examiner
Art Unit 2167